

Notice of Allowability

Application No.

10/791,874

Applicant(s)

HASHIMOTO ET AL.

Examiner

Art Unit

Nicholas D. Rosen

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of April 16, 2008.
2. ☒ The allowed claim(s) is/are 1,4-7,9-11,13-27,29,32 and 33.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date ____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Nicholas D. Rosen/
Primary Examiner, Art Unit 3625

DETAILED ACTION

Claims 1, 4-7, 9-11, 13-27, 29, and 32 have been examined.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Anthony Briggs on July 9, 2008.

The application has been amended as follows:

Claim 24 is hereby amended so that the first line ends with a colon, rather than a semicolon.

Claim 27 is hereby amended to read:

"27. A method of managing contents including a plurality of contents elements, representing information to be provided to a user, comprising:

storing content elements which include information on lecturers in association with popularity of the lecturers;

acquiring contents request information from the user;

determining, using a processor, an education curriculum based on the information in the contents request;

extracting the contents elements based on the popularity, the education curriculum, and the contents request information when a contents request acquiring unit acquires the contents request information from the user;

restructuring new contents from the contents elements extracted; and
selectively removing content elements previously viewed by the user.”

Claim 29 is hereby amended so that in the tenth line, “the contents request acquiring unit” is replaced by “a contents request acquiring unit”.

Allowable Subject Matter

Claims 1, 4, 5, 6, 7, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 32, and 33 are allowed.

Claims 24 and 25 are allowed.

Claim 26 is allowed.

Claims 27 and 29 are allowed.

The following is an examiner’s statement of reasons for allowance: The closest prior art of record, Liongosari (U.S. Patent 6,957,205), discloses a contents management apparatus that manages contents including a plurality of contents elements representing information to be provided to a user, comprising: a contents request acquiring unit that acquires contents request information from the user (column 13, line 65, through column 14, line 14); a contents element extracting unit that extracts the contents elements (column 12, lines 6-15; column 14, lines 26-37); and a contents

restructuring unit that restructures new contents from the contents elements extracted (column 12, lines 6-15; column 14, lines 26-37). Liongosari does not disclose that the contents element extracting unit extracts the contents elements when the contents request information is acquired, but it is well known to extract content based on contents request information in response to acquiring contents request information, as taught, for example, by Gutierrez (U.S. Patent Application Publication 2003/0046276) (Abstract and paragraph [0018]). Liongosari further discloses a contents storage unit that stores the contents, wherein the contents element extracting unit extracts the contents elements from the contents stored in the contents storage unit (Figures 2 and 3; column 11, line 56, through column 12, line 15). However, neither Liongosari nor Gutierrez discloses that the contents elements include information on lecturers, the contents storage unit stores the contents elements in association with popularity of the lecturers, and the contents extracting unit extracts the contents elements based on the popularity. It is known for information on the popularity of lecturers to be stored, and for students and other people to make decisions on the basis of this popularity information, as taught, for example, in Vissering ("San Diego State U.: Rating Sites Give Professor Previews"), but this is not a contents management apparatus, extracting contents based on the popularity. Ariyoshi (U.S. Patent 6,408,288) discloses user evaluations of content materials, but not lecturers. No prior art of record discloses or reasonably suggests that the contents storage unit stores the contents elements in association with popularity of the lecturers, and the contents extracting unit extracts the contents elements based on the popularity.

Google operates by, in a sense, extracting contents elements based on their popularity, the popularity of webpages, as determined by the number of links they receive from other webpages, as taught, for example, by Cooke, "Quality of Health and Medical Information on the Internet" (paragraph beginning, "This article has provided an overview of some of the quality problems"), but that is for a different kind of popularity, not the popularity of lecturers, and is inapplicable to the contents management apparatus claimed.

The above has been written with particular reference to claim 1. Concerning the other independent claims, claims 24 and 26 are systems claims narrower than claim 1, and including the limitations that make claim 1 nonobvious. Claim 27 is a method claim, and claim 29 an article of manufacture claim, reciting a computer readable recording medium for causing a computer to execute a method. Claims 27 and 29 recite method steps parallel to the apparatus limitations that make claim 1 nonobvious. Hence, these claims are allowable on the same basic grounds as claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cooke ("Quality of Health and Medical Information on the

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Internet”) discloses the problem of distinguishing trustworthy medical information on the Internet from quackery, and describes Google’s method of ranking webpages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen, whose telephone number is 571-272-6762. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Jeffrey A. Smith, can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Non-official/draft communications can be faxed to the examiner at 571-273-6762.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nicholas D. Rosen/
Primary Examiner, Art Unit 3625
July 15, 2008